

Message Text

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C O N F I D E N T I A L SEOUL 3431

E.O. 11652: GDS
TAGS: SHUM, PINS, KS
SUBJECT: STUDENT TRIALS ENTER APPEALS STAGE; DEFENDANTS DEFIANT

REF: SEOUL 3340

1. ON APRIL 24 SEOUL APPEALS COURT OPENED HEARINGS ON FIRST OF A SERIES OF CASES INVOLVING STUDENTS CONVICTED OF VIOLATING EM-9 IN DEMONSTRATIONS LATE LAST YEAR. CASE INVOLVED ELEVEN SNU STUDENTS WHO HAD DEMONSTRATED NOVEMBER 11, 1977 (SEE REFTTEL PARA 3 B). EMBASSY LOCAL EMPLOYEE ESTIMATED THAT 200 STUDENTS ATTENDED TRIAL AS OBSERVERS.

2. AS SOON AS PRESIDING JUDGE DECLARED COURT IN SESSION, DEFENDANTS SANG NATIONAL ANTHEM. JUDGE RAISED NO (RPT NO) OBJECTION AND PROCEEDED WITH TRIAL WHEN STUDENTS FINISHED SINGING. PROSECUTOR ASKED COURT TO CONFIRM DISTRICT COURT'S FINDING THAT STUDENTS GUILTY AND TO UPHOLD SENTENCES WHICH AFE IN RANGE OF ONE AND ONE HALF TO THREE YEARS.

3. DEFENSE CALLING FOR ACQUITTAL, WAIVED RIGHT TO CALL WITNESSES BUT ASKED THAT EACH STUDENT BE PERMITTED TO MAKE PERSONAL STATEMENT. EACH STUDENT USED OPPORTUNITY TO CRITICIZE VARIOUS ROKG POLICIES AND MANY CONDEMNED YUSIN "DICTATORSHIP". SOME DEFENDANTS ANNOUNCED
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INTENTION TO UNDERTAKE HUNGER STRIKES INPRISON. JUDGES SAT IMPASSIVELY AND ALLOWED EACH DEFENDANT TO COMPLETE HIS STATEMENT, A PROCESS THAT TOOK ALMOST THREE HOURS. WHEN STATEMENTS COMPLETED, JUDGE ANNOUNCED THAT SENTENCE WOULD BE PRONOUNCED AT NEXT SESSION, MAY 12.

4. COMMENT: STUDENTS DEFIANCE MUCH MORE PRONOUNCED

THAN DURING DISTRICT COURT HEARKINGS, AND PERHAPS TONE
OF DRAMA THEY ADDED TO TRIAL MAY SERVE AS TONIC TO ANY
STUDENTS STILL ON CAMPUS CONTEMPLATING DEMONSTRATIONS
AGAINST ROKG. JUDGES' PASSIVITY IN FACE OF PROVOCATION
WAS REMARKABLE, BUT IT DOES NOT SEEM LIKELY THAT ROKG
WILL ALLOW STUDENTS TO ERODE DECORUM OF COURTROOM
ENVIRONMENT IN FUTURE.
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